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## COLONIAL AUTONOMY

In his work on "Representative Government," John Stuart Mill has said that the representative system is required by all progressive peoples after they have passed through a period of slavery. In other words, after compulsory servitude has instilled through long generations the habit of industry, then, and not till then, are nations ready to progress one step further to representative government. The representative system, according to Mill, performs two functions: (1) It develops in the individual a sense of responsibility and power as an individual, which slavery by its nature could never give; and (2) in the long run it renders possible a better and more satisfactory performance of the services for which governments are established.

Whatever may have been the sins of the past, the territorial or colonial government of the future must realize two great objects: (1) It must perform for the people certain services and conveniences which are necessary to national welfare and progress, such as the establishment of roads and means of communication, of schools, courts of justice, sanitary regulations, etc., and (2) it must enlist the co-operation and sympathy of the people, and must stimulate the feeling of political responsibility among all classes. There are colonies in which the government performs admirably one of these functions and neglects the other; France has spent billions of francs upon the internal development of some of her colonies, but until recently has done little to build up the spirit of political independence. England, on the contrary, has at times pursued a policy calculated to produce colonial independence, even at the sacrifice of colonial development, while Spain exercised unquestioned control over certain of her colonies for centuries without any serious effort, either to develop their internal possibilities or the political education of their peoples. The query presents itself,

should every colonial system be so constructed as to give equal weight to these two factors of efficient service and colonial autonomy? This is probably the most difficult of all political problems in the government of dependencies. It would not be a very difficult matter for the men who are now managing the governments of Porto Rico, Hawaii and the Philippines, to set up a highly efficient administrative system, which would afford the people all the services demanded of modern governments, if the co-operation of the natives were not necessary. But is such a plan desirable? President Roosevelt, in his first message to Congress, has pointed out the peculiar nature of the situation which confronts the United States as regards her dependencies. The United States entered upon her colonial career with one fundamental condition entirely at variance with those of other countries. We began by making promises. Our domestic institutions and the spirit of our people having been opposed more or less strongly to the control of subject peoples, we have conferred representative institutions upon the natives in nearly all the new possessions. The question, therefore, of the desirability of establishing an efficient government, without the co-operation of the natives, is a more or less academic one. We have already solicited the participation of the insular peoples, and to abolish this part of the system now would excite even more opposition than if it had never been invited. The question may therefore be stated as follows: Given the existence of representative institutions in the dependencies, how much weight shall be placed upon these institutions, and what rôle shall they play in the actual decision of colonial questions?

The most urgent and immediate need of the new members of our family is not for more independence, but rather for the efficient performance of governmental services. This is especially noticeable in the Philippines. Throughout all the discussion as to whether the natives are or are not ready for a high degree of political activity, and in spite of all claims

for independence set up by a certain element of the Filipinos, there has never been the least doubt as to what the archipelago most requires at the present moment. The development of the commercial possibilities of the islands, a complete system of public schools and the establishment of impartial courts of justice, are vastly more important in this initial stage than is the organization of elective governments or the cultivation of Filipino independence. In only slightly different degree this is true of all our possessions. In territories where the proportion of children attending school falls as low as one out of twenty children of school age, where immense sections of the country are by reason of undeveloped means of communication denied access to natural markets for their products, and where a complete revision of the local and municipal governments is being undertaken, or has yet to be made, it is evident that the question of independence is relatively a secondary one as compared with the demand for internal development. By this it is not meant to imply that representative institutions and efficient government are incompatible. But a glance at the history of political representation will show that the system was not primarily aimed at efficiency; its origin and development are calculated first and foremost to conserve the rights of the people. It has been adapted through successive centuries to the new conditions of each time, and is now much better calculated to secure the successful performance of governmental services than ever before. Yet the fact remains that its object is not efficiency, and that in territories where, as in our possessions, representative institutions already exist, the demand that greater independence and power be conferred upon these institutions must be regarded as less important than the demand for the immediate performance by the government of certain much-needed services.

There are few Americans who would advocate the abolition of representative governments in the islands or the

reduction of these representative governments to a merely formal power. But it is a significant fact that nearly all of those who have visited the dependencies, and expressed their opinions on the subject, emphasize the necessity of securing the immediate development of the internal resources of the islands before concentrating our attention upon the extent of colonial autonomy.

In the present stage of our policy, then, territorial autonomy is advisable, but efficient government is a vital necessity. Too little emphasis has been laid upon this fact; while it has been admitted, in the newspaper and magazine discussions of the subject, that the necessity for strong, efficient government is evident on all sides, yet the bulk of attention has been given to the secondary question of autonomy. The debates in Congress have turned largely upon this point; the agitation of political parties has been directed along this line, and the general tendency of public opinion, where expressed, seems to be favorable to an early if not a premature grant of extended powers to the elected element in the insular legislatures.

As to the relation of colonial autonomy to the suffrage, we have in our newspaper discussions, at least, treated the two questions, suffrage and independence, separately. Broad and liberal suffrage regulations have been proposed without regard to the degree of control exercised by the home government over the islands, and in some cases, after a liberal suffrage qualification has been established, the demand for a territorial government has been raised. To begin with a tentative statement of principles, it should be said that colonial autonomy and suffrage qualifications are two sides of the same question. In tropical dependencies, where the American element is not in the majority, the degree of independence to be given to the popular representative body must be determined very largely by the elements of the population which they represent, in other words, by the suffrage qualifications.

Liberty is a habit. It is not something which people "obtain," but is the result of cultivation. It has taken the Anglo-Saxons seven hundred years to cultivate this habit, and we should therefore not be disappointed if it cannot be communicated to tropical peoples in four years. The inoculation theory of liberty is annually proving itself less tenable. This is no reason why we should fail to encourage the habit of toleration and mutual respect which is at the basis of Anglo-Saxon politics, but it is a strong inducement for us to proceed carefully in conferring important and even critical powers upon elective representatives in tropical dependencies. One of the interesting psychological features of the insular peoples with whom we are now coming in contact is their confidence in our ability to bring about better conditions, and their dependence upon us for this change. They have heard for years of the wonderful results which have attended the operation of representative institutions on the North American Continent, and they are firmly of the belief that the institutions alone have produced the results. The effects of this belief are plainly seen in those Latin-American countries where republican government has been adopted. The unsatisfactory working of representation in these countries may be regarded as the outcome of too much faith in a mere governmental system. The radical classes in every country, acting on the theory that their interests can only be conserved by universal suffrage, have placed this institution in the front rank of their political platforms. The propertied classes, believing themselves to be denied that dominant influence in politics which they considered their natural right, have necessarily transferred their political action from the ballot to the executive, and have sought to retain their control of the organs of government by establishing order through a dictatorship.

The practical conclusion which may be drawn from this fact for application in our dependencies, is that the wider the suffrage and the greater the number of persons who are unf-

miliar with the practical daily operation of representative institutions, the greater should be the control exercised by the representatives of the United States in the government of the dependency. In Porto Rico, for example, the social conditions and lack of familiarity with representative government has early led to a bitter partisan strife which must be laid aside before representative government can assume its true position in the island. Hence the necessity for a guiding influence such as that exerted by the appointed Executive Council. An examination of the laws and resolutions passed by the Legislative Assembly of Porto Rico, at its first session, shows that a large proportion of these originated in the appointed house, a striking yet perfectly natural result of the guiding rôle played by the representatives of the United States. It should be further called to mind that the political conditions in the opening years of the new government were in a sense greatly simplified by the refusal of the Federal party to take part in the elections. This permitted the Governor and his advisers in the Council to manage insular affairs in co-operation with a single party. The two initial years of the American régime in Porto Rico were therefore unusual; one of the severest tests of our ability to cope with problems of party government and an extended suffrage is yet to come. When both parties are actively engaged in political propaganda, and all that such propaganda implies, and when both parties enter into active permanent competition with each other, we shall have a more truly party government, but at the same time a government in which the rôle of the Executive Council, as the guiding element, will be more difficult. Viewed from this standpoint the popular demand for a territorial form of government in Porto Rico, with an elected upper house, appears premature. Leaving all other considerations aside, the legislative and administrative questions still requiring solution are so important, the success or failure of our government in Porto Rico is so dependent upon the proper solution of

these questions, and the classes now included in the voting registers are in such an elementary stage of political development, that it would seem an unnecessarily hazardous experiment to dispense with the stimulating influence of the appointed upper house.

In the Philippines the same considerations apply with increased force, while in Hawaii the limitation of the suffrage to persons who are more or less directly under the influence of what might be called the American spirit, may fairly be urged as a reason for making the upper house elective, although even here the recent conflict between the legislative and the executive, between the elected legislature and the appointed governor, threatens to retard progress seriously.

There is another point of colonial policy which bears a close relation to the question of autonomy, but which can only be treated briefly in a general discussion. The system of local government exercises a most important influence upon the development of that spirit of toleration and mutual respect which, it has been asserted, rests at the foundation of representative government. The Anglo-Saxon system of representation is based historically upon the growth of local government. The recent decay of interest in local affairs has served to cloud this fact. It should be remembered that not only has the structure of our representative bodies its footing in the localities, but that all the educational influences which have brought about the distinctly Anglo-Saxon type of party government have hitherto been of local origin. The question as to what degree of autonomy is to be granted to a dependency, must therefore be answered very largely with reference to the presence or absence of this important means of political education. Communal life is the primary department of the national parliament; it is a means, if not the means, of affording preliminary exercise and training for the greater field of activity. One of the earliest endeavors of those who so earnestly advocate the establish-



ment of strong and influential representative institutions in the dependencies, should be to secure the operation of this powerful preparatory influence.

As to the exact method by which colonial autonomy is preserved or regulated respectively, a great diversity of practice exists in different countries. The control of the mother country is usually exerted in one of two general ways: (1) The power of approval or disapproval exerted in the home country itself, and (2) a control exerted by officials resident in the dependency but appointed by the home government. Of the first kind of central control there are two variations, (*a*) one in which the national *legislature* acts as the controlling body, approving or disapproving the resolutions of the colonial government and actively intervening in the affairs of the colony, and (*b*) a system in which this power of approval is exerted almost entirely by the *executive* of the mother country. In this latter system the head of the colonial bureau or department scans all the principal acts of each colony and supervises in more or less detail the ordinary conduct of colonial administration. In those cases in which the control is exerted by appointed officials residing in the colony, there are also important variations in the practice of modern nations. There may be (*a*) a distinct upper house composed of appointed officials who act as a check upon the elected lower house—this is the time-honored method, and it has generally produced satisfactory results; or (*b*), there may be a single house elected by the people, but held in check by the governor's veto; or (*c*), there may be a single house composed partly of elected and partly of appointed members, in which the appointed members are in a majority. In all of these instances it will be noticed there is, somewhere in the organization, a point at which radical or subversive action by the elected members may be stopped. But this is not sufficient. The modern conception of the rôle to be played by a colonizing nation is not that its representatives should simply operate as a check upon colonial legislatures, but rather that

they should act as a stimulus to progress, as for example the rôle played by England in Egypt or by France in Algeria. Allowing for a variety of conditions in different colonies, it may fairly be said that after the first feeling of irresponsibility on the part of the people has been eradicated, the great difficulty will be in maintaining the progress of colonial development. The part to be played by the appointed representatives of the home country must therefore always be an important one. There must be a standard by which the elected members of the legislature shall be measured in the popular eye.

Taking up the practice of European governments, the experience of Great Britain is especially interesting. From the English system one fact appears most plainly—the representative institutions of English colonies are operated almost universally by the white population.

In most cases the question which confronts the English legislator is comparatively simple: Is the colony inhabited by a sufficiently large number of whites to operate a representative government? If not, no representative form is established, but the district remains a Crown Colony, as in the case of the West African possessions. The Gold Coast, with a total population of 1,500,000; Sierra Leone, with a population of 136,000, and Lagos, with a population of 2,000,000, contain an average of about two hundred European inhabitants each.

If a considerable number of white inhabitants be present, a representative legislature is established; in Mauritius and the Bermudas the white population forms over one-third of the total. Additional examples are seen in Cyprus and British Guiana, while a variation from the rule, which, however, has been attended with doubtful results, is presented by the Island of Jamaica.

Next comes the question: How shall the control of the government be secured to the white inhabitants? If some of the natives are of a superior type, this class is admitted to

participation in the government, as is the case in Cyprus; if not, the natives are practically disregarded and the Europeans, which usually means the English majority, elect the legislature, as in British Guiana and the Bermudas. In the local, municipal and village governments natives are frequently allowed control, throughout the British system, even in Crown colonies where, as in India, no colonial representative legislature exists. But in all these cases the powers of the local town governments are limited and supervised by the appointed central government of the colony. These comparatively simple methods have resulted from centuries of experience gained through many costly mistakes. The British method of adapting suffrage qualifications to the degree of colonial independence is also of interest. A colony may have representative institutions, with universal suffrage, and yet enjoy so little real autonomy as to be less independent than some of the Crown colonies. It is not the liberality of the suffrage qualifications, but the scope of the powers given to the elected legislature which constitutes colonial autonomy. Independence consists not in the thought that every male twenty-one years of age may vote for representatives, but in the fact that the representatives, once elected, wield extended powers over the affairs of the colony. In solving this, the greatest problem of colonial government, the British have again resorted, after long years of experimentation, to comparatively simple methods.

Is the colony a prosperous one with the English residents forming an overwhelming majority in the electoral lists? If so, then the elected legislature is given free sway. The best examples are Canada and Australia. In the case of Cape Colony this rule has been departed from, since the English are not in a sufficient majority to run the government. The experience, however, has not been such as to encourage other departures from the rule.

If the colony is less prosperous, or if the English residents are not in a large majority, or, finally, if the general stand-

ard of civilization is not very high, the legislature is composed in such a way as to form some check upon the elected members. This result is usually obtained by an upper house appointed by the Crown, the lower house being elected by the people (Barbados, Bahamas, Natal, Bermudas).

Finally, a compromise between the two above-mentioned forms has been adopted in certain colonies which represent an intermediate stage of economic and racial development. This compromise consists in the establishment of a mixed legislative assembly, composed of appointed and elected members in the same body. In the more highly-developed colonies of this compromise class, where experience has shown that the legislature may be trusted to a considerable extent, the majority of the assembly is elected (Malta, Cyprus). Where the colonial legislature, it is feared, may come into collision with the interests of the Empire as a whole, the elected members are in the minority (British Guiana, Mauritius).

In the case of Jamaica, a highly-interesting form of government has been adopted. In ordinary times the elected members of the legislative council are in the majority, but the governor is empowered to enlarge provisionally the number of appointed members in the council so as to form a majority. This power is, however, only used in case of emergency, a recent instance being the crisis of 1899. In short, the degree of independence granted to the English colonies, and the powers of the elected members of the legislature, are tempered by the admixture of appointed members in degrees corresponding to the advancement of civilization, the economic prosperity, and especially the number of Englishmen on the voting lists.

Another important feature of modern colonial systems, which has almost escaped notice in the United States, is the influence necessarily exerted upon the growth of the national executive by the existence of a system of dependencies or

colonies. This change in the executive bears a close relation to the general question of colonial autonomy. One who makes even a hasty comparison of the European systems with our own, will be struck by the fact that the great colonial powers of Europe have, in one form or another, adopted the plan of permanent executive control over colonies, while we have thus far failed to do so, except in the Philippines, and even in this case executive control is regarded as a merely temporary expedient.

In the first years after the Spanish War, Congress showed by its general attitude considerable confidence in its ability to cope with the new questions of colonial administration. This confidence in the Federal Legislature was apparently shared by the other departments of the Government and by many of the people. As a result of this feeling and of the traditions of the people, little hesitation was shown in establishing a modified territorial form of government for Hawaii and Porto Rico, in which little or no provision was made for executive control. The temper of the American people in 1899 and 1900 was hardly such as to encourage permanent establishment of such a control, the leaven of so-called anti-imperialistic sentiment was quite strong, the Presidential campaign of 1900 was about to begin, and the general sentiment, therefore, seemed to favor a considerable degree of liberality in the matter of self-government for the dependencies, while the newness of the questions involved led to the policy of "government on the spot." The national executive was, therefore, freed as much as possible from the burden of insular government. In the organic law enacted for Porto Rico, on April 12, 1900, as well as in the organic act for Hawaii, passed April 30, 1900, there were surprisingly few provisions for control by the Federal Executive over the ordinary administration of the islands. While the President was given considerable power of appointment, especially in Porto Rico, little or nothing was said about his supervisory powers over the acts of the insular governments;

furthermore, the laws were interpreted in precisely the same spirit in which they had been enacted.

After the passage of the two laws above mentioned, the impression gradually grew that the problems confronting us were of greater complexity than had been anticipated. This became clear when Congress attempted to legislate for the Philippines. There at once arose such a divergence of views regarding the fundamental facts of the Philippine situation that the celebrated amendment to the Army Appropriation Bill of 1901 was adopted, providing that "All military, civil and judicial powers necessary to govern the Philippine Islands . . . shall, until otherwise provided by Congress, be vested in such person and persons and shall be exercised in such manner as the President of the United States shall direct, . . . ."

This method of dealing with the Philippine situation did not signify the abandonment of the policy of "government on the spot"; such a policy will probably continue to be a prominent feature of American methods in territorial or dependent government. The Anglo-Saxon is strong, not in devising governmental systems, but in operating them. The strength of the American system of dependencies lies not so much in the governmental machinery established, as in the individual Americans who have been sent out to manage insular affairs. The policy which has here been called, for want of a better name, "government on the spot," is one calculated to make interference or control by the home executive necessary only in affairs of the utmost importance. A few practical instances from Porto Rico and the Philippines illustrate this point admirably. The entire revenue system of Porto Rico has been revised and brought into harmony with modern principles of taxation, the department of public works, roads, bridges, etc., has been completely renovated, if not revolutionized, and a school system has been constructed from the foundations up; while an admirable code of laws—political, civil and criminal—has

been prepared and adopted. All this great task of regeneration has been planned and executed in the island itself.

The same general statement applies to a somewhat less extent in the Philippines. Owing to the continuance of military government, there has necessarily been a greater degree of central activity in the War Department at Washington, but with the increasing application of civil government throughout the archipelago, there has been an increased emphasis upon the policy of governing the islands from Manila rather than Washington. So we find a great number of what might be called "acts of fundamental organization" passed by the Philippine Commission, acts establishing departments, bureaus and divisions, general regulations of trade and commerce, laws establishing a complete system of local government, etc.—all these are in the best and highest sense "government on the spot." They do not answer the definition of colonial autonomy; they cannot satisfy the theoretical claims of colonial *independence*, nor will they be found satisfactory by those who believe that at all times, in all climates, temperate and tropical, and among all races, governments derive their just powers from the immediate consent of the governed. But if, as the American Declaration of Independence would seem to imply, governments are to be judged by their results, the American policy can hardly fail of approval. The question arises, however, to what degree will a control by the national executive become necessary in the future, and what may be its relations with the representative governments which have been established or are to be established in the dependencies? If a provisional answer may be hazarded to this question, it would seem that a considerable development of executive power will become necessary, not so much for the purpose of interfering with the ordinary detail of colonial administration, but rather to afford a great central clearing-house in which the experience gained in one dependency may be used in others.

It is clear that the United States may, from its peculiar trade relations and from the growth of its foreign commerce, be led at any moment into the acquisition or control of additional territory, whether for the purposes of protecting trade routes, the opening of new routes, the guarantee of markets, or the preservation of order. Such an expansion must necessarily result in the development of a more highly developed system of central control. A glance at the English colonial system, or even at the recent history of our own dependencies, will show how delicate are the questions which, from time to time, arise in their government. A legislature, by reason of its collective nature, cannot handle these questions, nor should it be expected to do so; then, too, the dependent governments themselves must occasionally be stimulated by an impulse from the national life. This should be the function of the national executive, and it requires no prophetic vision to see that a material widening of executive powers will be the result.

To sum up briefly the conclusions drawn from this review of the question of colonial autonomy: (1) The importance of autonomy varies according to the economic and social condition of the dependency; in the early stage of colonial development it should be subordinated to the element of efficient government; (2) the degree of independence to be conferred upon each dependency should be determined largely by the nature of the suffrage qualifications and the extent to which an interesting system of local and municipal self-government exists; (3) the necessary control to be exerted by the mother country may take the form of approval or rejection of colonial acts in the mother country itself or by its representatives resident in the colony; the second method is preferable in those cases where the natives of the dependency have been led to regard autonomy as important; (4) the practice of leading countries, and particularly of Great Britain, has demonstrated the necessity of keeping the white population in control where possible, and where this is not possible



then of limiting the degree of colonial autonomy to be conferred; (5) the policy of governing each dependency on the spot has hitherto prevented any serious disturbance of the delicate balance of power between the executive and legislative departments of the United States Government, but the present tendency seems to indicate a growing preponderance of the national executive in territorial affairs.

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